

14 FAH-3 H-340

REQUIRED TRAINING COURSES AND OVERSEAS CONTRACTING OFFICER WARRANTS

(CT:AQM-5; 10-06-2014)
(Office of Origin: A/OPE)

14 FAH-3 H-341 REQUIRED TRAINING COURSES

14 FAH-3 H-341.1 Actions at or Below \$25,000

(CT:AQM-4; 08-19-2011)

The required training for personnel executing contractual actions at or below \$25,000 is 40 hours of simplified acquisition training, or equivalent, such as the Foreign Service Institute's (FSI) PA-229, Simplified Acquisition Procedures (online distance learning course); (FSI) PA-247, Commercial Acquisitions (classroom course); or Defense Acquisition University's (DAU) CON 237, Simplified Acquisition (online). It is the responsibility of the post to fund training. At a minimum, 40 hours of refresher training is required every 5 years. This training can be the same courses or other acquisition-related training.

14 FAH-3 H-341.2 Simplified Acquisition

(CT:AQM-4; 08-19-2011)

The required training for Foreign Service personnel performing simplified acquisition is a 40-hour course in simplified acquisition, such as the Foreign Service Institute's (FSI) PA-229, Simplified Acquisition Procedures (online distance learning course) or Defense Acquisition University's (DAU) CON 237, Simplified Acquisition. Fulfillment of this training requirement will enable a Foreign Service officer to obtain a provisional warrant (see 14 FAH-3 H-342.2).

14 FAH-3 H-341.3 Formal Contracts: Basic Course of Instruction

(CT:AQM-4; 08-19-2011)

- a. The required training for Foreign Service personnel at posts abroad performing formal contracts above the simplified acquisition threshold is the 4-week FSI General Services Officer (GSO) Course Acquisitions Module (PA-221) or its

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equivalent. Contact the Office of the Procurement Executive (A/OPE) for assistance in equivalency determinations.

- b. Effective June 1, 2005, obtaining a new contracting officer warrant at the \$250,000 level (standard warrant) requires completion of a minimum of 16 hours or 2 days of refresher training within the past 3 years, in addition to the GSO Course Acquisitions Module. This means that employees requesting a standard warrant on or after June 1, 2008, must show completion of refresher training if they graduated from the GSO Acquisition Module more than 3 years before (see 14 FAM 214). The purpose of this policy is to ensure that overseas contracting officers maintain a current knowledge base on U.S. Government contracting and are able to award and administer contracts properly in support of the Department's mission.

14 FAH-3 H-341.4 Formal Contracts: Advanced Course of Instruction

(CT:AQM-4; 08-19-2011)

All Foreign Service personnel at posts abroad who are responsible for awarding formal contracts must take at least 16 hours of refresher training every 3 years. This should cover topics such as Intermediate Contracting, Service Contracting, Cost and Price Analysis, Government Contract Law, Construction Contracting, etc. Training is available from the Defense Acquisition University (DAU) or commercially, through the list of sources available from the Office of the Procurement Executive (A/OPE).

14 FAH-3 H-342 OVERSEAS CONTRACTING OFFICER NAME WARRANT PROGRAM

(CT:AQM-4; 08-19-2011)

Contracting officer warrants are issued only to qualified individuals, by name, and are valid only at the current post of assignment. Warrants will be valid only for an individual at a particular post for a specific time period. All posts should nominate at least two employees (three, for larger posts) to the Office of the Procurement Executive (A/OPE) for appointment as contracting officers to ensure that contractual coverage is available at all times.

14 FAH-3 H-342.1 Locally Employed Staff (LE Staff) Name Warrants (\$25,000 and Below)

(CT:AQM-5; 10-06-2014)

- a. Pursuant to DOSAR 601.603-3(c), name warrants for acquisitions of \$25,000 and below may be issued to locally employed staff (LE staff) (i.e., Foreign

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Service nationals, third-country nationals, and U.S. citizens hired as LE staff). Similar to the purchase-card program, the Foreign Service contracting officer supervisor will serve as the approving official for these transactions by reviewing and signing a monthly transaction log. The Department will hold the Foreign Service contracting officer supervisor responsible from an administrative standpoint for any erroneously issued contractual documents by LE staff. Successful management of LE staff contracting authority will be a consideration in establishing eligibility for contracting warrants and determining dollar thresholds. In addition, periodic evaluation of LE staff acquisitions may be conducted at any time at the discretion of A/OPE.

- b. LE staff may only be designated as contracting officers in countries where local law and custom will provide adequate assurance of the ability to prosecute malfeasance and where the risk of corruption is low. This is defined as a score of **50** or higher on the Transparency International Corruption Perception Index available on the Transparency International Web site. Management officers should continue to assess changing conditions in host countries and advise A/OPE where risks have increased.
- c. Only LE staff with a minimum of 5 years of procurement experience with the Department of State, may be nominated for a warrant. LE staff must have completed a minimum of 40 hours of simplified acquisition training to qualify for a warrant.
- d. The designation of any LE staff as a contracting officer is limited to a 5-year period. The designation renewal or termination request must be submitted to A/OPE approximately 30 days prior to the end of the 5-year period.
- e. As specified in DOSAR 601.603-3(c), personal services contractors are not eligible for appointment as Department of State contracting officers.

14 FAH-3 H-342.2 Provisional Name Warrants

(CT:AQM-4; 08-19-2011)

- a. Provisional name warrants are limited to \$100,000. The Office of the Procurement Executive (A/OPE) must review the solicitation, contract, or modification when the amount exceeds \$100,000. The total amount of a contract action, for purposes of determining whether the action is within the contracting officer's authority, includes all option years. This review is not required for exercise of previously approved priced options or delivery orders placed against valid U.S. Government contracts.
- b. As stated in 14 FAH-3 H-341.2, employees seeking a provisional warrant must complete a simplified acquisition course. The Foreign Service Institute's (FSI) course, PA-229, Simplified Acquisition Procedures (online distance learning course), is the preferred simplified acquisition course.

14 FAH-3 H-342.3 Standard Name Warrants

(CT:AQM-4; 08-19-2011)

- a. Individuals who successfully complete the Acquisitions Module of the General Services Officer (GSO) course at the Foreign Service Institute (FSI) (PA-221 conducted 1993 or later) qualify for a standard warrant in the amount of \$250,000. The contracting officer need only submit acquisition actions over \$250,000 to A/OPE for review and approval.
- b. Effective June 1, 2005, employees seeking a standard warrant must also complete a minimum of 16 hours or 2 days of refresher training within the past 3 years in addition to the GSO Course Acquisitions Module. This means that employees requesting a standard warrant on or after June 1, 2008, must show completion of refresher training if they graduated from the GSO Acquisition Module more than 3 years before (see 14 FAH-3 H-341.2).

14 FAH-3 H-342.4 Advanced Name Warrants

(CT:AQM-4; 08-19-2011)

- a. The Procurement Executive may increase the warrant level of a contracting officer abroad who can demonstrate the following:
 - (1) Successful completion of 3 weeks of acquisition training beyond the General Services Officer (GSO) course Acquisitions Module (PA-221); and
 - (2) Sufficient experience in contracting to provide reasonable assurance of being able to handle larger contracts.
- b. The additional training may be in the form of courses available from the Defense Acquisition University (DAU) (such as CON 202 – Intermediate Contracting); commercially available courses (for example, three 1-week courses in topics such as Service Contracting, Cost and Price Analysis, Construction Contracting, Government Contract Law, etc.); or equivalent training that may become available from the Foreign Service Institute (FSI). The A/OPE homepage lists possible sources of this training.
- c. When a request for an advanced name warrant is received, A/OPE will review the request and analyze the quality of the candidate's previous acquisitions abroad to determine an appropriate dollar value for the warrant. The amount will not exceed \$500,000.

14 FAH-3 H-342.5 Temporary Name Warrants

(CT:AQM-4; 08-19-2011)

- a. As set forth at Department of State Acquisition Regulation (DOSAR) 601.603-3(b), the chief of mission is delegated authority to issue temporary name warrants to U.S. citizen employees for periods of up to 90 days in order to

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cover emergency, post-specific operational requirements such as staffing gaps, medical evacuations, or extended leave. This delegation of authority permits essential operations to continue in the absence from post of the A/OPE name-warranted contracting officer(s). Appointments must be made in writing on Form SF-1402, Certificate of Appointment, with a copy furnished to A/OPE. Temporary name warrants must contain both a limitation of \$100,000 for signature authority and a specific time period during which the warrant is effective.

- b. There is no mandatory training requirement to qualify for a temporary warrant. However, A/OPE highly recommends that individuals complete the Foreign Service Institute's (FSI) PA-229, Simplified Acquisition Procedures (online distance learning) so that some acquisition knowledge is attained before a temporary warrant is issued. Temporary warrant holders are encouraged to contact the A/OPE regional desk officer for advice and assistance on specific transactions.

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